

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SHAWN HELD

Plaintiff

v.

BRENTON DAVIS, individually and as
COUNTY EXECUTIVE OF THE COUNTY
OF ERIE and ERIE COUNTY,
PENNSYLVANIA

Defendants

CIVIL ACTION

NO. NO. 1:23-CV-00319

JURY TRIAL OF 12 DEMANDED

MOTION TO EXTEND DISCOVERY DEADLINE

AND NOW, come the Defendants, Brenton Davis, individually and as County Executive of the County of Erie and Erie County, Pennsylvania, by and through their attorneys, Marshall Dennehey, P.C. and G. Jay Habas, Esquire, and in support of the Motion to Extend Discovery Deadline, aver as follows:

1. Plaintiff Shawn Held commenced this action by filing a Complaint on October 23, 2023, which was removed to this Court on November 16, 2023. [ECF No. 1].
2. The parties engaged in an Early Neutral Evaluation that included mediation on March 6, 2024, with ongoing discussions thereafter that concluded on or about March 28, 2024, with no resolution.
3. The current fact discovery completion date is May 4, 2024. [ECF No. 11].
4. The parties exchanged written discovery requests which are being completed.
5. Depositions have been taken of Plaintiff, Shawn Held, Defendant, Brenton Davis, and a witness for the Defendant, Douglas Smith.
6. Depositions of other witnesses identified in the Initial Disclosure may be pursued.

7. A post discovery conference is currently scheduled for May 9, 2024 at 2:30 P.M. [ECF No. 11].

8. Counsel for the parties are both scheduled for trial in Crawford County on May 12, with the trial anticipated to last at least one week.

9. In order to accommodate the parties, witnesses, and counsel, it is respectfully requested that the Court extend the discovery for a period of 60 days, or through July 3, 2024.

10. Counsel for Defendants conferred with counsel for the Plaintiff regarding this motion, and Plaintiff counsel indicated his consent thereto.

11. Counsel are available for a conference on May 9, 2024 if the Court prefers to keep the conference as scheduled.

WHEREFORE, the Defendants, Brenton Davis, individually and as County Executive of the County of Erie and Erie County, Pennsylvania, respectfully request that this Honorable Court grant this unopposed sixty (60) day extension of the discovery deadline.

Respectfully submitted,

MARSHALL DENNEHEY, P.C.

By: 

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the within Motion to Extend Discovery Deadline was duly served on all counsel of record and unrepresented parties on the 1st day of May 2024, electronically or by mailing same to them at their designated addresses by first class United States mail, postage prepaid, or by personal service at their respective addresses.

Timothy D. McNair, Esquire
McNair Law Offices, PLLC
821 State Street
Erie, PA 16501

MARSHALL DENNEHEY, P.C.

By: 

G. Jay Habas, Esquire